

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**RANDY PRUDEN,**

**Plaintiff,**

**vs.**

**KIEFFER BROTHERS CONSTRUCTION  
CO., INC., and NORFOLK SOUTHERN  
RAILWAY CO.,**

**Defendants;**

**And**

**NORFOLK SOUTHERN RAILWAY CO.,**

**Third Party Plaintiff,**

**vs.**

**IRVING MATERIALS, INC.,**

**Third Party Defendant.**

**Case No. 11-cv-1038-MJR-SCW**

**ORDER**

**REAGAN, District Judge:**

Before the Court is Plaintiff's unopposed motion to continue the trial setting and to amend the scheduling order accordingly, or in the alternative to amend the scheduling order to extend the dispositive motion deadline (Doc. 46). Plaintiff filed this motion after Magistrate Judge Williams, constrained by Local Rule 7.1(f), denied Plaintiff's motion to extend the dispositive motion deadline to a date less than the prescribed 100 days before the first day of the trial month. Trial is currently set to commence January 28, 2013, and the dispositive motion deadline is September 17, 2012. Plaintiff is essentially seeking a one month continuance of all pretrial deadlines and the trial setting.

After reviewing the case file and discussing the progress of the case with Magistrate Judge Williams, it is apparent that a brief continuance is warranted, which the Court's trial calendar can accommodate in this particular instance. However, the parties are reminded that the Court assigns specific, firm trial dates, so further extensions are unlikely.

**IT IS THEREFORE ORDERED**, for the reasons stated, that Plaintiff's Motion to Continue (Doc. 46) is **GRANTED** in all respects.

**IT IS FURTHER ORDERED** that the January 11, 2013, final pretrial conference, and the January 28, 2013, trial setting are **CANCELLED**; the final pretrial conference is **RESET** to **April 5, 2013, at 1:30 p.m.**; and trial is **RESET** to commence on **April 22, 2013, at 9:00 a.m.**

**IT IS FURTHER ORDERED** that on or before **May 18, 2012**, the parties shall file a motion to amended the pretrial scheduling order, and they shall submit to Magistrate Judge Williams a proposed amended schedule premised upon the new trial date.

**IT IS SO ORDERED.**

**DATED: May 11, 2012**

**s/ Michael J. Reagan**

**MICHAEL J. REAGAN**

**UNITED STATES DISTRICT JUDGE**